



Arizona Sexual Assault Evidence Collection Kit Task Force

MEETING MINUTES

April 5, 2016

9:00 AM

Arizona State Capitol, Executive Tower, Second Floor Conference Room
1700 West Washington Street
Phoenix, Arizona 85007

A general meeting of the Arizona Sexual Assault Evidence Collection Kit Task Force convened on April 5, 2016 at the Arizona State Capitol, Executive Tower, Second Floor Conference Room located at 1700 West Washington Street, Phoenix, Arizona 85007. Notice having been duly given. Present and absent were the following members of the Commission.

Members Present

Bill Montgomery (Co-Chair)	Tom Alinen (on behalf of Mark Dannels) (via phone)	Debbie Lesko
Frank Milstead (Co-Chair)	Jessie Delmar	Phil Lovas
Maria Syms (on behalf of Mark Brnovich)	Katie Hobbs	Myriah Mhoon
Kate Brophy McGee	Jessye Johnson	Sheila Polk (via phone)
Colleen Clase (via phone)	Todd Larson	Mary Roberts
Christina Corieri	Kathleen Mayer (on behalf of Barbara LaWall)	

Members Absent

Pete Wingert

Staff Present

Courtney Coolidge

A. CALL TO ORDER

Bill Montgomery called the meeting to order at 9:06 a.m.

B. OPENING REMARKS

Colonel Frank Milstead provided opening remarks and mentioned that it would be beneficial for the Task Force to learn from Assistant Chief Mary Roberts experience working on this issue in Phoenix. Chief Roberts indicated that effective July 1, 2016, Phoenix Police Department (PPD) will move to a new policy of testing *all* sexual assault kits (SAKs) that come into their possession. PPD is also in the process of rewriting protocols and procedures for sex assault cases.

Mr. Montgomery asked if PPD would be testing every SAK that came in or if there would still be a decision point for a detective to determine whether or not a crime had occurred. Chief Roberts responded that the only SAKs they would not test are ones that are unfounded, meaning there is direct evidence that a crime did not occur.

Mr. Montgomery noted this distinction to the Task Force to let them know if a crime has not occurred then the sample cannot be put into the national CODIS database.

Senator Debbie Lesko posed a question about testing SAKs in cases where there is a disagreement over consent. Chief Roberts responded that in those situations, law enforcement cannot disprove that a crime has occurred, so the plan would be to submit the SAK. Colonel Milstead agreed and stated that in order for the SAK not to be tested the reason would have to be unfounded. Mr. Montgomery noted that this new approach goes to a more victim centered handling of a SAKs.

Maria Syms asked how this new policy would impact resources. Chief Roberts responded that resources are the largest struggle and that historically PPD tested about 70% of all SAKs, so you could expect the number of SAKs tested to increase by 30%.

Colonel Milstead closed by letting the Task Force know that the item would be added to a future agenda for further discussion.

C. INTRODUCTION OF TASK FORCE MEMBERS

Co-Chairs invited Task Force members to introduce themselves.

D. APPROVAL OF MINUTES

The Task Force approved the March 3, 2016 minutes by unanimous vote.

E. UPDATE ON SURVEY

Courtney Coolidge provided an update on a survey that was sent out to law enforcement agencies statewide. The goal of the survey is to conduct an inventory of the total number of untested SAKs statewide. The survey was issued in the beginning of February and to date there has been approximately 65% participation among law enforcement agencies. Staff completed the goal set at the March 3, 2016 meeting of reaching out to each law enforcement agency directly to follow up on the status of the survey.

F. FORENSIC NURSE EXAMINER PRESENTATION

Jill Rable and Erin Messinger gave an overview to the Task Force about the role of a Forensic Nurse Examiner (FNE). Ms. Messinger explained an FNE is a registered nurse with a minimum of two years' experience and additional specialized training. The program has been around since 1998, which started with just sexual assault cases. Since then the program has expanded to include domestic violence and strangulation cases, elder abuse and suspect exams.

Ms. Rable explained the exam room and setup and noted that it is ideal to conduct the exams in an advocacy center. Exams can be performed anytime within 120 hours post assault. The exam is a head to toe assessment including all medical history, assault history, injury documentation and a genital exam. Ms. Rable also explained the top priority of the FNE is medical care and total nursing care of the patient. FNEs can also be called to testify in court as expert witnesses as needed. In terms of the kit itself, they are standardized across the state and are provided by the Department of Public Safety (DPS). Once samples are collected the FNE maintains custody until the SAK is released to law enforcement.

Ms. Rable noted that in 2015 HonorHealth performed 2,078 exams, of which 886 were sexual assault exams in Maricopa County, 779 were strangulation exams in Maricopa County, 200 were out of county exams, 120 suspect exams and 18 were abuse/neglect.

Mr. Montgomery recognized the professionalism and excellent service that victims are receiving from the FNEs.

Senator Lesko asked how the FNEs are funded. Ms. Rable and Ms. Messinger responded that the Maricopa County Attorney's Office contracts with HonorHealth to provide this service.

Jessye Johnson asked the length of the average exam. Ms. Rable and Ms. Messinger said that exams are generally an hour.

Senator Lesko asked if the victim does not want to talk to law enforcement would HonorHealth process the SAK. Ms. Rable and Ms. Messinger explained that exams are equally available to victims regardless of whether they are participating with law enforcement, however the SAK will not be processed unless a crime is reported. Mr. Montgomery noted that not every SAK issued by DPS will be tested, which the Task Force will need to distinguish in its protocol. Ms. Rable also noted that the patient has a clear understanding that they need to report a crime to law enforcement in order for the SAK to be processed.

Myriah Mhoon inquired about care for patients even though they may not contact law enforcement. Ms. Messinger explained the exam process is the first step to starting the healing process. The exam helps validate the victims' disclosure. Ms. Rable expanded to let the Task Force know that the patients are getting the same discharge information as those reporting to law enforcement.

G. PRESENTATION BY THE ARIZONA COALITION TO END SEXUAL & DOMESTIC VIOLENCE

Dr. Tasha Menaker presented to the Task Force on the work of the Arizona Coalition to End Sexual and Domestic Violence (ACESDV) and how they may be able to supplement the work of the Task Force. ACESDV is currently working with Maricopa County on a statewide model protocol for sexual assault response. They are involved in a biennial conference in September that will have national and local speakers and contain a track specific to sexual assault response. Additionally, ACESDV is facilitating workgroups to develop statewide sexual assault medical forensic exam guidelines to increase consistency and response for communities developing FNE programs.

Dr. Menaker touched on additional objectives for outreach and technical assistance, identifying gaps in service and accessibility of medical forensic exams, training for responders and community members and law enforcement training.

Mr. Montgomery asked Dr. Menaker if she could expand on gaps in coverage and accessibility to medical exams. Dr. Menaker stated that there are counties where victims do not have access to a forensic exam. As such, a goal of ACESDV is to try and make forensic nurse exam training more accessible.

Chief Roberts asked if there is a mobile van to provide the forensic nurse examination. Todd Larson responded that they do not currently have a van for forensic nursing. Christina Corieri mentioned a mobile advocacy center that ChildHelp had or has and maybe this approach could be expanded for forensic nurse examiners. Director Jesse Delmar mentioned that the mobile unit at ChildHelp is utilized on the Navajo Reservation.

H. PRESENTATION BY THE GOVERNOR'S OFFICE OF YOUTH, FAITH & FAMILY

Myriah Mhoon provided the Task Force with an overview of the Governor's Office of Youth Faith and Family (GOYFF) and how some of their initiatives may overlap with the Task Force. GOYFF serves as a catalyst of community assistance and improvement through the management of \$20 million in grant funds annually. GOYFF oversees numerous councils, commissions and workgroups including Commission to Prevent Violence Against Women, Arizona Human Trafficking Council, Arizona Commission on Drug Education and Prevention, Arizona Substance Abuse Partnership, Arizona Juvenile Justice Commission, Commission on Service and Volunteerism, and the Arizona Substance abuse Task Force.

Ms. Mhoon informed the Task Force about the launch of their new website which contains eight micro sites which provide resources for the state. The website includes information about their grants and the solicitation process.

Ms. Mhoon explained some of the grants that GOYFF oversees including the STOP Grant, Rural Grant, Arrest Grant and Children's Justice Grant. The STOP Grant enhances and strengthens law enforcement capabilities to combat violent crimes against women. The Rural Grant enhances the safety of rural victims of domestic violence, sexual assault and dating violence. The Children's Justice Grant promotes proper handling of child abuse cases to limit additional trauma to the child.

Ms. Mhoon updated the Task Force on the work they are doing with sexual assault response statewide and a survey the GOYFF will be conducting to better understand who is paying for exams and what those costs include. Ms. Mhoon concluded her presentation by stating that the Governor's Commission to Prevent Violence Against Women looks forward to supporting the Task Force.

I. UPDATE ON OTHER EFFORTS

Courtney Coolidge provided an update on related efforts that may overlap with the goals of the Task Force. Ms. Coolidge let the Task Force know that Maricopa County Attorney's Office is working on protocols for testing of SAKs, exploring options for a tracking system that could potentially be expanded statewide, reviewing legislative recommendations made by other states, and researching additional funding opportunities for testing previously un-submitted SAKs.

J. CALL TO THE PUBLIC

Mr. Montgomery gave the call to the public with no responses.

K. ADJOURNMENT

The meeting was adjourned at 10:23 a.m.